federal architecture

adaptive-use facilities

a framework for debate

FEDERAL ARCHITECTURE:
Adaptive-Use Facilities

STAFF REPORT
For the Federal Architecture Task Force

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The Federal Architecture Project
National Endowment for the Arts
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> Use it up
> Wear it out
> Make it do
> Or do without.
>
> ...old New England proverb

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TABLE OF CONTENTS

PAGE

Introduction 1

Adaptive Use -- New Opportunities 3

Resource Conservation Through Building Reuse 12

The Economics of Recycling 19

The Federal Framework 26

Practices and Procedures 31

Recommendations 40

APPENDIX

A. A Sampling of Public (State and Local) Adaptive Use Projects 44

B. Statutes and Executive Orders 46

C. Bibliography 57

INTRODUCTION

In May 1972 the White House directed the National Endowment for the Arts "to review and expand the Guiding Principles for Federal Architecture," an architectural policy proposed for the Federal government in 1962.

In April 1974 an Endowment-sponsored task force of 15 members with special interest or training in architecture and related design fields issued a report, Federal Architecture: A Framework for Debate. The task force was assisted in its inquiries by a project staff and a committee of agency designees representing federal agencies with major construction responsibilities.

To provide a framework for a wider debate, the task force requested the preparation and circulation of supplementary staff papers expanding on issues raised in the task force report. The first staff paper addressed the concept of "Multiple-use Facilities."

This report on "Adaptive-use Facilities" is the second supplementary paper. It further considers the implications of the task force conclusion that the federal government has a special obligation to see that its public buildings enhance the quality of their surroundings.

The task force recommended:

> "Federal agencies should give priority consideration to adapting existing buildings for federal use, particularly structures of architectural or historic significance. The Government should consider both leasing and purchasing such structures as an alternative to a new structure, considering relative cost and adaptability of the existing building. This alternative should include consideration of satisfying space needs by adapting a cluster of smaller buildings as well as adapting single large buildings."

Since the task force report first appeared, energy conservation, materials scarcity, and economic trends have come to the forefront of public attention. These concerns were incorporated in the research and interviewing done for this paper.

Several potentially useful inquiries are not pursued. We do not explore the implication of adaptive-use for special purpose projects, such as hospitals and laboratories. Nor do we examine the preservation-related activities of the Departments of Housing and Urban Development and Transportation. And we allude only briefly to the important preservation work of the Department of Interior.

Like the earlier multiple-use paper, this paper considers federal public buildings that are strategically located in America's towns and cities. This public architecture commands attention, establishing community-wide standards of excellence and contributing importantly to the citizen's image of the accessibility and responsiveness of government.

ADAPTIVE USE -- NEW OPPORTUNITIES

Ever since the first Peking man transformed a damp and dismal cave into a habitable dwelling more than 400,000 years ago, humans have been adapting existing spaces to meet changing needs. With the advent of Christianity, hilltop structures housing pagan oracles became wayside chapels. In recent times, European chateaus and palaces have been turned into museums, shops, and government offices.

In the United States, what once seemed an endless supply of land and other resources discouraged any sustained interest in adapting old but sound structures for contemporary needs. Conscious application of this technique was limited to a handful of architects and decision makers, to admirers of aging architectural gems, and to the poor, who adapted from necessity. Since the late 1960s, however, economic and social forces have made adaptive use* of existing structures an increasingly promising alternative to new construction.

A recognition of the need for conservation of all resources, especially energy and materials, has generated widespread interest in adaptive use in the press and among design professionals, academicians, public officials and the public. Architectural journals devote entire issues to building rehabilitation and conservation. In a recent magazine advertisement, the American Institute of Architects describes adaptive use as "the most promising trend in modern architecture." The 1975 legislative program of the New York AIA chapter recommends that priority be placed on the use of older buildings to meet the space needs of state government. Universities offer conferences, courses, and degree programs in adaptive use.

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*The term, "adaptive use," is applied in this paper to any modification of a facility to make it suitable for current needs. This may include, but is not limited to, the adaptation of architecturally or historically significant buildings.

The grant programs of the National Endowment for the Arts also reflect this new attention. In a recent program administered by the Architecture + Environmental Arts Division almost 70 per cent of the applications were related to conservation or adaptive use.

Rational growth rates and community development patterns that save land and energy now claim as much attention from many environmental activists as threats to wetlands and endangered species. The equation of newness with progress is increasingly coming under challenge.

Popular recognition of the need to conserve existing facilities is evident in citizen protests over zoning decisions that threaten valued architectural resources and in endorsements of public policies that encourage rehabilitation. Voters in Baltimore, for instance, approved three separate bond issues for a variety of city-sponsored adaptive-use projects. At the annual congress of the National League of Cities, mayors representing cities of all sizes endorsed a broad policy goal and thirty-one specific resolutions aimed at the conservation of existing urban resources.

The growing enthusiasm for the reuse of older buildings, according to Architectural Record Editor Walter Wagner, "amounts to nothing less than a revolution in attitude." Urban planner Kevin Lynch observes that "the resistance to the loss of historical environment is today becoming more determined as affluence increases and physical change itself is more rapid. And no wonder, since the past is known, familiar, a possession in which we may feel secure." The sense of place and continuity suggested by older buildings has special appeal in a society where one in five Americans changes his residence each year.

Another kind of evidence of the disenchantment with ever-larger-and-higher-and-newer buildings can be found in the frequency with which film-makers use the modern building as an easily understood symbol of the alienation, isolation, and malaise of modern civilization.

It is doubtful, however, whether the current enthusiasm for adaptive use would have been as strong without the economic pressures of recent years. Fueled by inflation and scarcity in energy and materials, construction costs rose 9.7% in the last year alone, compared with an average annual increase of around 4% during the early sixties. A shortage of lending dollars for new construction, unprecedented in this country in recent memory, provides additional encouragement for small-scale remodeling, renovating, converting, or adapting. At the same time, developers and other businessmen are recognizing that refurbished older buildings attract office and retail tenants, lure shoppers and diners, and increase tourism and economic vitality for entire neighborhoods.

In the public sector, state, county, and local governmental units surpass their Federal counterparts in applying adaptive-use techniques. State reuse projects range from individual structures and building clusters to neighborhoods and entire communities. They include the following:

* Based on alternative feasibility studies -- one for new construction, one for reuse -- the New Hampshire State legislature, acting extraordinarily as its own planning and construction agency, decided to adapt Concord's Old Post Office building (1884) for offices for legislators. According to project architects, the adaptation will cost

the State around $4 million, compared with $10 million for a new building providing comparable square footage. The renovated French Renaissance structure is scheduled to reopen in August, 1975.

- Ever since the Vermont Department of Agriculture was relocated in 1921 in the National Life Insurance building (1891) in Montpelier, the State has placed priority on the use of older buildings to meet its space needs. In 1953 the State acquired the nearby Vermont Mutual Life Insurance Company building (1870) to provide a new home, first for the State's Tax Department, and later for its Department of Personnel. These three-to-five-story buildings, as well as the recently restored State Capitol (1836 and 1859), and the reconstructed Pavilion Building (originally built in 1876), are key elements of the Vermont Capital Complex.

- In St. Louis, Adler and Sullivan's Wainwright Building (1890-91), threatened with demolition for years, will provide new office space for the State of Missouri. Picking up an option on the building held since 1973 by the National Trust for Historic Preservation, the State sponsored a national design competition for the facility. The winning design combines the renovated Wainwright building with a compatible new L-shaped building to achieve a total of 200,000 square feet of space at an estimated cost of $8.5 million. Completion is scheduled for 1976.

- The State University of New York (S.U.N.Y.) recently began work on the adaptation of Albany's Flemish-Gothic-style Delaware and Hudson Building (1917) and the nearby Italianate Old Post Office and Federal Building (1876). The converted buildings will house S.U.N.Y. central administrative offices, an assembly hall, galleries, and facilities for computer operations.

- At the suggestion of Historic Hawaii, Inc., the University of Hawaii law school and the state court system are currently looking into the possibility of using a brewery in Honolulu's Capital Historic District to meet their needs for additional space.

Some county-sponsored initiatives:

- In Buffalo, New York, Erie County is considering the reuse of portions of the Romanesque Revival Old Post Office for community college administrative offices and classrooms. The remainder of the building would be used for a variety of cultural, commercial, and community purposes.

- In Ithaca, New York, a decision to renovate Tompkins County's courthouse to provide county offices and hearing rooms ended a controversy over the future of that underused structure. The planned reuse is compatible with civic efforts to preserve DeWitt Park, anchored on the north side by the 121-year-old courthouse.

- Belknap Mills (1823) in Laconia, New Hampshire, is undergoing conversion to house social service functions, exhibit space, and Bicentennial activities.

In small towns and major cities, adaptive use is viewed as a method of accomplishing community objectives while meeting space needs:

- Using $3.7 million in revenue sharing dollars and a variety of other Federal funds, the city of Ventura, California, recently bought and converted a Roman Doric courthouse (1912) for use as city offices and community meeting space.

- To provide space for social service offices with heavy walk-in traffic, the city of Baltimore bought and renovated a warehouse several years ago, which now serves as the Kirk Multipurpose Center.

- After public outcry by neighboring Greenwich Village residents, the whimsical Victorian Gothic Jefferson Market Courthouse (1876) was saved and subsequently adapted for use as a branch of the New York Public Library.

- As part of an extensive downtown conservation program, the city of Louisville, Kentucky, is recycling the 15-story Brown Hotel and an adjacent office building to provide a 1600-seat theater, 300,000 square feet of space for an alternative school, and the central offices of the Board of Education at a cost of $3 million for acquisition and $2 million for renovation. Businesses and cultural organizations will lease space in the complex.

* Besides adapting existing school facilities for changing needs, public school officials throughout the nation are reusing "found space" in churches, warehouses and supermarkets. The nonprofit Educational Facilities Laboratories in New York provides assistance for many of these adaptations.

In Boston, adaptive use is being carried out on a scale not found elsewhere:

* In the late Sixties, changing public tastes, a businessman/developer, and two architects transformed what was once called "a lunatic pile of building; a great grim, resolutely ugly dust-catcher" into a lively, profitable, and appealing home for a blend of restaurant, banking, and office tenants. Built in 1862-1865, Old City Hall now offers handsome space at rates competitive with first-class downtown Boston high-rise office buildings. It attracts quality tenants with ease.

* Other aging commercial structures in the city's central business district, such as the Flour and Grain Exchange (1890-92), have been upgraded for continued use. The Boston Redevelopment Authority is devising an evaluation scheme for older downtown buildings on the basis of historical, architectural, and visual quality, and a system of incentives for their reuse.

* Public and private efforts to reclaim the city's waterfront rely heavily on adaptive use. The conversion of abandoned granite warehouses has provided space for a range of flourishing restaurants as well as apartments occupied by high-income individuals desiring to live close to their downtown offices. Faneuil Hall Markets, which was the Nation's

first urban renewal effort in the 1820's, is being renovated by the city and a private developer to serve as a pedestrian complex of stores and eating places linking the waterfront with Government Center and downtown Boston. Finally, the Boston Public Facilities Commission is overseeing the conversion of a 19th century coal storage facility into the station for fire and police boats patrolling Boston Harbor.

* In two residential neighborhoods -- South End and Back Bay -- adaptive use is the key in efforts to create a more livable center-city environment. The widely publicized adaptation of the South End's Chickering Piano Factory, financed by the Massachusetts Housing Finance Agency, provides 174 living/working spaces for artists and craftspeople and, through galleries and rehearsal space, now constitutes a resource to the entire neighborhood. In the Back Bay, an area witnessing considerable rehabilitation activity by homeowners committed to center city living, the Vendome Hotel (1871) offers condominiums and rental units along with an interior arcade of interesting shops.

In Ottawa, the Canadian government is restoring buildings along the city's "Mile of History" and using several of the reclaimed structures for government offices. For example:

* The old LaSalle Academy and Bishops Palace, with a new addition attached, will become the headquarters of the Department of Urban Affairs at a cost of about $8.2 million.

As this brief review of successes demonstrates, merchants and homeowners, commuters and tourists share the community benefits of adaptive use. Yet roadblocks still stand in the way of the reuse of many older buildings. The pressure of escalating zoning allowances threatens structures of historic significance and architectural distinction. Buildings offering savings in energy, materials, and dollars if properly adapted, are still bypassed in favor of new construction, which may appear to offer more in the way of image, status, and symbolic value.

The Nation's single largest client for the design of the built environment, the Federal government, has largely overlooked the advantages of adaptive use. Thus a special opportunity for the productive reuse of old buildings has been neglected.

Adaptive use can be an effective tool for meeting Federal space needs while achieving policy objectives of cost savings, efficient use of finite resources, and the conservation of America's cultural heritage. Adaptive use can also enhance the Federal presence by enlivening the physical, social and economic environment of host communities.

This paper examines the benefits of adaptive use, explores the Federal experience to date, and proposes methods of incorporating adaptive-use strategies into Federal building policy and procedures.

RESOURCE CONSERVATION THROUGH BUILDING REUSE**

Scarcity in building materials, inflation, and the energy crisis have made the efficient use of available resources a primary national objective. In an atmosphere of heightened environmental awareness, these problems have caused a rethinking of long-held assumptions about the "useful life" of buildings. As the AIA stated in its magazine advertisement, "suddenly it was practical to compare the cost of building something new with the cost of keeping something old."

There is growing evidence of this re-evaluation:

* Professionals and Federal officials are less inclined to cite functional or financial obsolescence as justification for the demolition and replacement of older structures.

* Notions of physical obsolescence are being confined increasingly to instances of structural damage or irreparable decay. Building managers, including those at the General Services Administration, are re-evaluating previous policies of deferred maintenance in order to extend the life of individual systems within buildings. One GSA official questions "the entire concept that a building has a fixed predetermined useful life."

* Decisions involving construction, demolition, and renovation are being made increasingly on the basis of life-cycle costing, which

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**The Federal Energy Administration's Office of Energy Conservation and the Center for Building Technology of the National Bureau of Standards made substantial contributions to this chapter.

employs a systematized evaluation of resources (materials, labor, equipment, and energy) used throughout the life of a building.

* A participant in an international public design conference held at Ditchley Park, England, in December, 1974, predicted that the characteristics of future architecture will be "long life, loose fit, and low energy."

The challenge of resource scarcity highlights the possibilities inherent in recycling older buildings. New York architect Hugh Hardy, writing on the energy advantages of recycled buildings, observes that "many contemporary structures which seem so sleek and modern are, in fact, primeval monsters, both in terms of the energy consumed to build them and the energy required to make them habitable."

The Center for Building Technology at the National Bureau of Standards estimates that properly renovated buildings can be operated at energy savings that equal those possible in new buildings. These savings can be achieved through site modifications, particularly landscaping and paving alterations; modifications of the shell, or exterior, such as additional insulation, double glazing for windows and solar shading devices; and interior modifications, including new mechanical systems, flexible partitions, and more efficient lighting. Pre-existing design constraints limit some of these changes. However, manufacturers are standardizing and streamlining energy-related replacement parts, a trend that could make older buildings increasingly competitive with new construction on the basis of energy conservation.

Significant variables relating to climate, function, size and design make broad generalizations about the energy advantages of operating older structures difficult. But useful observations can be drawn from the recent surge of research on that subject. Buildings completed before the advent of complex "environmental control" systems are considerably more sensitive to such external factors as climate, altitude, and wind velocity. In many climates, operable windows can provide natural ventilation to assist heating and cooling systems. Central courtyards and light wells provide both cross-ventilation and natural lighting. Older buildings, less dependent on artificial comfort control systems, often can respond more effectively to individual requirements of their occupants for heat, cooling and light.

A GSA/AIA study found that the thick load-bearing masonry walls which characterize older structures delay heat loss and gain and conserve energy more effectively than the glass curtain walls and highly fenestrated shells which enclose most modern structures. Furthermore, glass areas, which often permit substantial air infiltration, tend to be smaller in size and fewer in number in older buildings. (The advantages of glazed areas in providing natural lighting are often offset by energy consumed in heat transmission, solar gain and air infiltration.) Any comparison of total energy consumed by renovated older buildings and new buildings must also consider the additional energy costs to society of materials, equipment, and transportation fuels expended during the building's lifetime. When evaluated from this standpoint, adapted buildings offer vastly reduced lifetime energy expenditures.

- Assuming a soundness of structural elements and shell, the reuse of older structures substantially reduces demand for energy-intensive building materials.

Noting the rapid consumption of nonrenewable resources, AIA President William Marshall, Jr. insists that recycling "will preserve, in part, some of the natural resources that would have gone into the new materials for an entirely new building." In a harsher tone, Hugh Hardy chides the building industry for extravagance in use of materials. "Under the enticements of consumerism (and its willing handmaiden technology)," says Hardy, "buildings, which in the early 19th century, were made primarily of wood, stone, and plaster have begun in less than two centuries to require a range of materials equal in their variety to the products of the aerospace industry."

Some materials, such as aluminum, often cost more energy to produce than they are worth in terms of future energy efficiency for a building. In a majority of conversion projects, materials used in the building's skin and skeleton (concrete, masonry, steel, glass and aluminum) are retained for continued use. Additional savings are often realized through the continued use of some materials contained in interior systems, e.g. plaster, wood, and sheet metal. Furthermore, when new construction constitutes replacement, demolition results in the loss of many unsalvaged materials from the replaced structure.

Adaptive use also limits energy consumed in transporting materials to and from building sites. Further savings are realized when labor-intensive adaptive use reduces the need for petroleum-powered construction equipment such as earth movers and lifting devices.

Federal policy and programs on energy conservation have, until very recently, concentrated on opportunities related to new construction. The President's State of the Union/Energy message and his proposed Omnibus Energy Bill called for the development of minimum performance standards for energy in all new commercial buildings. All new Federal buildings would be required to meet or exceed these standards.

After several years of work on reducing energy demand in its properties, the General Services

Administration turned its attention during the last year or so to the concept of energy budgets as applied to Federally owned and operated buildings and to the application of life-cycle costing to questions of energy consumption. According to one GSA official, the life cycle approach "puts a cost on our traditional wasteful habits of consumption and disposal. It credits quality and productivity." Using the life-cycle approach, GSA is carefully monitoring the energy-related costs of a new federal building in Topeka, Kansas.

In March, the agency published energy conservation guidelines for the existing buildings in its vast inventory. Those regulations, developed in conjunction with the AIA Research Corporation, supplement criteria for new buildings issued a year earlier. The new guidelines permit substantial flexibility and aim "to encourage innovation in design that is responsive to energy conserving principles."

The Federal Energy Administration has awarded research contracts worth $7 million for studies of energy conservation and building technology, including technical research on alteration alternatives for shells and mechanical systems in existing buildings and policy studies on tax and other financial incentives to encourage energy conservation.

During fiscal years 1974-75, the Center for Building Technology of the National Bureau of Standards sponsored over 30 energy conservation projects. A large number dealt with reducing energy demand in existing buildings.

To date, most of these Federal efforts have dealt with methods of evaluating and modifying patterns of energy use in existing buildings rather than with the comparative energy costs of remodeled older structures versus new construction. Nevertheless, these initiatives are an encouraging trend, one which can lead to a greater awareness of the potential of adapted older buildings for life-cycle energy savings.

Further documentation on this topic would be valuable. It would be useful, for instance, to monitor an adaptive use project to determine life-cycle energy consumption using an approach similar to that used by GSA in Topeka.

THE ECONOMICS OF RECYCLING

As recently as two years ago the argument could be made that, from the drawing board on, rehabilitation was usually more expensive than new construction, at least in terms of quantifiable initial costs. When energy and materials were comparatively inexpensive, the benefits of standardization and modular construction frequently brought the out-of-pocket costs of new buildings below those of labor-intensive adaptations. In some cases, the expense of meeting building code requirements geared primarily to new buildings and of inserting new energy-conserving mechanical systems in pre-existing spaces made adaptive use impractical. Recent economic trends affecting the construction industry have substantially altered these conditions.

In the last year alone, according to *Engineering News-Record*, the price of structural steel rose by over 40% while the cost of cement increased by almost 30%. These increases suggest the cost advantage of reusing a building's shell and skeleton while replacing its interior systems. In some adaptations, retention of nonstructural elements such as flooring or partitions can effect additional cost savings. As noted earlier, reuse schemes usually entail a smaller fuel expenditure than new construction.

Moreover, it usually takes less time to complete a conversion project. This time saving can mitigate the effect of inflation, reduce borrowing costs, and cut down the costs to developer and community of a site's remaining idle. The time and expense of environmental impact assessment are also reduced.

Finally, the re-examination of building codes as they affect rehabilitation may soon lead to a further reduction in the comparative costs of adaptive use.

Recent recycling projects illustrate the cost savings made possible by reuse:

* The adaptation of Boston's Chickering Piano Factory, completed in 1974, used exposed wood columns, brick walls, and electrical conduits along with other money-saving design features to keep conversion costs down to $12.50 a square foot, less than half the projected cost of similar new construction.

* The Paramount Theatre of the Arts, a 44-year old Art Deco movie palace in Oakland, California, reopened in 1973 as a performing arts center. The building's conversion was completed in under two years for less than $2 million compared to the estimated $13 million required for the construction of a new performing arts center.

* In a search for office and hearing room space, the Virginia General Assembly approved the reuse of Richmond's Life of Virginia Insurance building for a price tag of $5 million, far below that of plans previously proposed and rejected by the legislature on the basis of cost.

- The renovation of Baltimore's Old City Hall, scheduled for completion in the summer of 1976, is projected to cost around $30.00 per gross square foot. Comparable city halls built elsewhere recently have cost over twice as much. The adaptation of the 100-year old building will provide 85% more space for offices and ceremonial functions than has been afforded by the building in the past.

Experts in adaptive use projects feel that the nationwide average costs of adaptive use have become competitive with those of new construction. They concede, nonetheless, that rehabilitation can still cost more in some instances due to its labor-intensive nature and to the unanticipated complications that can arise in upgrading an existing structure. Viewed in the context of the total economy, this has a positive side. Adaptive use projects produce more jobs for a given expenditure. While not precisely comparable to total conversion, GSA's repair and improvement activities employ five times as many workers per $1 million as new construction. Vermont Governor Thomas P. Salmon stated, "Adaptation of our historic structures to present day uses would provide new job opportunities for construction craftsmen as well as incentives to Vermont's building materials industries. At the same time it would revitalize town and city centers."

In other words, comparing out-of-pocket costs alone, even on a life-cycle basis, is misleading. It is necessary to weigh other, less quantifiable factors relating to long-term socio-economic impact.

City planners, urban experts, and public officials acknowledge that older buildings, once regarded as symbols of visual blight and economic decay, can actually be catalysts for revitalization. They recognize that urban recycling can achieve the same results as full scale renewal without some of its problems, such as the dislocation of residents and the homogenization of the visual environment.

In July, 1974, Seattle's Office of Urban Conservation reported on the effects of public and private rehabilitation initiatives in the city's Pioneer Square Historic District:

> "Many of the objectives of urban renewal were accomplished in Pioneer Square without the usual expenses and delays associated with this process. A rundown, unsightly, and sometimes unsafe area was transformed into a vibrant center with a minimum of relocation expense, without the lengthy planning process required for urban renewal, without land write-downs, and most importantly without having to raze the architectural showpieces that make up the District."

Successfully adapted structures are attracting residents and industrial-commercial-retail tenants to depressed communities and drawing tourists, shoppers, and restaurant-goers to previously unpopular neighborhoods. The wide appeal of these old buildings can be attributed to several factors. Public interest in architectural history has broadened to the point that designs from the recent past generate as much interest as those of the remote past; Art Deco palaces are viewed with as much enthusiasm as Greek Revival masterpieces. Other buildings draw attention because they reflect America's political or social history, its regional and ethnic diversity or because they reveal a now-lost quality of craftsmanship.

Even buildings possessing no particular stylistic or historic distinction have been turned into community drawing cards. These structures, often designed at more human scale than today's monumental buildings, provide visual variety in age, materials, and architectural detail and foster an enlivened street-level environment.

Examples of the economic and fiscal effects of adaptive use on communities include:

- In 1962, Ghirardelli Square, now a landmark near the San Francisco waterfront, was a collection of aging and undistinguished chocolate factory buildings -- and an idea. Twelve years and a $7.5 million investment later, the complex has become a prime example of the economic benefits of reusing older structures. Illustrating the latent appeal and profitability of warehouses and industrial buildings, Ghirardelli and its progeny (The Cannery, the Ice House, the Showplace, and the Fuller Glass Warehouse) have capitalized on anti-high-rise sentiment among the city's residents and, in turn, have returned to the city enhanced property values, increased tourism, and center city vitality.

* In North Adams, Massachusetts, and a number of other New England mill towns, the reuse of abandoned industrial buildings holds the promise of economic revitalization. The adaptation now in progress of North Adams' Windsor Mills to house 150,000 square feet of educational, cultural, and job training activities has already shown signs of drawing new employers to the city. This and other projects sponsored by the non-profit Hoosuck Community Resources Corporation have also been credited for attracting a developer for downtown North Adams, long-sought by the city's renewal agency.

* The use of thousands of square feet of abandoned trolley car barns in Salt Lake City as an enclosed shopping mall has brought about the reclamation of one of the city's derelict neighborhoods. The 67-year-old barns cover a ten-acre block known as Trolley Square. It houses almost 100 commercial tenants, including an open air market, shops, offices, a gas station, and a movie theater, all for an estimated cost of $7 million.

* Through the efforts of the Metropolitan Development Commission in Indianapolis, the city's old downtown will soon benefit from tax revenues generated by a mixed-use complex of shops, offices, and entertainment created within Union Station (1888). After purchasing the Romanesque Revival edifice from the Indianapolis Union Railway Company, the city established development guidelines, and sold it with deed restrictions to a private developer, Union Station Associates.

These actual and estimated costs do not adequately reflect total community benefits. But it is just as hard to calculate the precise costs of the neighborhood deterioration. Many of the costs and benefits of adaptive use are indirect, diffuse, or involve unquantifiable social values.

Skeptics of business ventures based on such "soft" data should be reminded that cost estimates based solely on market variables do not guarantee success. In 1971, the Old Stock Exchange in Chicago, a landmark building by Adler and Sullivan, was demolished. Declaring it "economically unviable," private developers replaced it with a modern skyscraper. But their assessment of the new building's economic soundness proved wrong; it is reported to be close to bankruptcy. (While the Stock Exchange was coming down, the federal government, which never considered reusing it, was erecting new high-rise office space practically around the corner.)

Economic considerations are clearly critical in making the adaptive use versus new construction decision. Conventional cost-benefit analyses, however, do not include the entire range of relevant economic factors. If the methodology were to incorporate as many of these factors as possible, more decisions than at present would probably go in favor of adaptive use. It is also necessary to consider social and cultural values which do not fit into economic framework. Improving the decision-making process in this way would increase federal adaptive-use undertakings even more. Nonetheless, there will be cases in which the reuse alternative will simply not prove feasible.

THE FEDERAL FRAMEWORK

The basic statutory authority for the construction, alteration or purchase of buildings for use by Federal agencies is contained in the Public Buildings Act of 1959, as amended in 1972. Under the Act and its amendments the Administrator of General Services is responsible for determining the public buildings needs of the Federal government and requesting Congressional approval for and undertaking construction, alteration, or purchase of buildings to fulfill these needs.

Projects undertaken by GSA may house one or more executive departments, independent agencies, or wholly owned government corporations. Specifically excluded are buildings and construction on certain public lands, on properties in foreign countries, on Indian and native Eskimo properties held in trust by the U.S., and on military installations.

Another notable exception from GSA's jurisdiction is the U.S. Postal Service which, since its establishment in 1970, has been authorized to provide for its own space needs. This independence has been construed by the Postal Service as an exemption from such procedures affecting other Federal agencies as environmental impact review and provisions for the transfer of surplus property. The significance of this interpretation for adaptive use lies in the fact that the Postal Service owns approximately 470 post office buildings that are at least 50 years old.

The force of directives and precedents for the reuse of older buildings to house federal functions can best be understood within the context of the considerable body of law and policy on which the Government's space management procedures are based. Adaptive use, in some respects, has roots in an earlier commitment to historic and architectural preservation.

Historic preservation objectives were first reflected in Federal policy in 1906 when the Antiquities Act authorized the President to officially recognize structures and objects of historic significance on Federally owned property. Further commitment to preservation through the tool of Federal ownership became evident in the 1916 legislation establishing the National Park Service, and again in 1935 with the Historic Sites Act which declared a national policy of preserving for public use historic sites, buildings, and objects of national significance. The same 1935 legislation delegated broad powers of implementation to the Secretary of the Interior and established the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments.

The establishment of the National Trust for Historic Preservation in 1949 and the Interior Department grants-in-aid program in 1966 attempted to foster involvement in preservation on the State and local levels. In 1966, passage of the National Historic Preservation Act formalized Interior's National Register of Historic Places and constituted a new orientation to Federal preservation policy through self-regulation. Through the Advisory Council on Historic Preservation, set up by the 1966 Act, and under procedures instituted by the Department of Transportation Act of 1966 and the National Environmental Policy Act of 1969, the Federal government has attempted to limit damage to historic properties caused by actions that are federally funded, approved, or licensed. The 1974 Housing and Community Development Act institutionalized historic preservation activities within HUD. These measures have provided varying degrees of protection to properties owned by Federal, State, county, municipal, and private entities.

The most forceful, recent expression of Federal commitment was the issuance in May 1971 of Executive Order 11593, Protection and Enhancement of the Cultural Environment (see appendix). In this document, the President declared that "The Federal Government shall provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the Nation" and directed Federal agencies to take specific steps to carry out the order.

The Secretary of the Interior, for example, was required to enlist the aid of state and local historic preservation officials in evaluating and surveying federally owned historic properties. Federal agencies were also directed to inventory their real property to identify those properties eligible for listing on the National Register and to initiate measures providing for the maintenance through preservation, rehabilitation, or restoration, of federally owned and registered sites.

The goal of environmental quality espoused in the National Environmental Policy Act of 1969 became the cornerstone of a Presidential directive calling for new Federal agency responsibilities. Executive Order 11514 (March 5, 1970), required agency heads, among other things, to monitor, evaluate, and control on a continuing basis their agencies' activities so as to protect and enhance the Nation's natural and built environment. The ultimate aim of the directive was to ensure that agency policies and procedures affecting the environment were designed "to sustain and enrich human life."

Executive Order 11512 (February 27, 1970) gave the Administrator of General Services responsibilities and guidelines on the planning, acquisition, and management of Federal space:

- "...in the selection of sites for Federal facilities, consideration shall be given to...the impact a selection will have on improving social and economic conditions in the area;"
- "Maximum use shall be made of existing Government-owned permanent buildings which are adequate or economically adaptable to the space needs of executive agencies;"
- "Proposed developments shall be, to the greatest extent practicable, consistent with State, regional, and local plans and programs; and governors, local elected officials, and regional comprehensive planning agencies shall be consulted in the planning of such development."

The principles of conservation and efficient use of finite physical, financial, and cultural resources are embodied in these expressions of Federal policy on space management, historic preservation and environmental enhancement. They also constitute a strong justification for adaptive use as a means of meeting Federal space needs.

PRACTICES AND PROCEDURES

In spite of a favorable policy framework and the promise of cost and resource savings, adaptive use has not yet received significant Federal attention. The causes are complex, ranging from regulatory and procedural roadblocks to disinterest.

Of approximately 70 public buildings approved for construction, alteration, or lease during the 93rd Congress, only a small fraction involved substantial renovation, in spite of some notable, if scattered, Federal successes with adaptive use in past years:

* The Pioneer Courthouse in Portland, Oregon, for instance, was handsomely renovated by GSA several years ago for an amount substantially under that required for comparable new construction. Now housing a post office, quarters for the Interstate Commerce Commission, and Federal court space, the 1875 structure was retained only as a result of considerable pressure generated by local citizens against GSA's original plans for demolition. (In contrast, the endorsement of a reuse scheme by Seattle citizens for another historic building had little effect when additional Federal office space was proposed for that city.)

* As a result of a recommendation by the Advisory Council on Historic Preservation, the U.S. Mint in San Francisco was adapted as a Bureau of the Mint museum, numismatic center, and West Coast computer headquarters.

* The GSA-sponsored restoration of James Renwick's Corcoran Gallery of Art (1859) in Washington, D.C. won plaudits from the American Institute of Architects in 1974 when it was hailed as "a masterpiece of creative preservation." After its initial

use as a museum, the building housed a series of public agencies. Now it again serves as a museum of great elegance, this time as part of the Smithsonian Institution.

- Not far from the Renwick Gallery, a row of restored Federal period townhouses on Lafayette Square accommodates federal offices. Only the personal intervention of President and Mrs. Kennedy saved the houses from demolition and encouraged a design restudy that integrated them with new, high-rise space.

- In 1966, GSA began the restoration of the Galveston, Texas customhouse, courthouse and post office completed in 1861. This architectural landmark once again furnishes dignified courtroom and office space.

Federally sponsored restoration efforts have concentrated on architectural gems and historic monuments, overlooking the adaptive use benefits of a wider range of building types. The U.S. is dotted with examples of successfully reused buildings of minor architectural distinction, building which would never merit the precise restoration accorded the Renwick. These adaptations function to preserve a more commonplace but important past.

Federal preservation projects would also benefit from a broadened perspective that would shift the emphasis away from museum uses. In many cases, buildings that neither merit nor adapt easily to museum treatment can be reused effectively for offices, meeting rooms, public spaces, shops, and restaurants.

A recent GSA brochure declares: "The most important preservation effort at GSA is the transfer, free of charge, of historic buildings to local public bodies that GSA finds of no further use." This procedure, first conceived in 1948 and strengthened by the passage in 1972 of amendments permitting revenue-producing activities in transferred properties, has resulted in the preservation of some valuable properties.

However, the emphasis on the transfer program as GSA's major contribution to cultural preservation is inconsistent with policies spelled out in Executive Order 11593. A serious commitment to stewardship of Federally controlled historic and cultural resources should emphasize the retention of valuable properties in Federal ownership.

While several surplus properties have been smoothly transferred and have been (or are being) successfully reused, other worthwhile structures are declared surplus prior to the identification of a state or local recipient. In such cases, maintenance expenditures for such structures are drastically cut; vacancy, vandalism and decay follow.

Even where a transfer recipient can be identified and community enthusiasm supports reuse schemes, problems of design, programming, and funding remain. The Old Mint Building (1838) in New Orleans, for example, was transferred to the State of Louisiana in 1966. In spite of imaginative plans for the building's reuse for museum purposes, offices, and commercial space, State funding for the project is still uncertain as the Mint falls into ever greater disrepair.

In St. Louis, the Post Office Building built in the 1860's has awaited reuse for years. A private developer planning to lease the structure from the city has been unable to secure long-term financing to cover adaptive use. Projected conversions in Grand Rapids, Michigan, and St. Paul, Minnesota, face similar though less severe financial problems.

A case study drawn from space planning experience in New Bedford, Massachusetts, illustrates other causes for the mixed Federal record on adaptive use. When the city's old Federal building was outgrown several years ago and a new facility was proposed by GSA, an alternative course of action was suggested by the Council on Environmental Quality, the National Endowment and HUD. This alternative called for the use of a cluster of 19th century commercial buildings connected by walkways. The cluster proposal was rejected partly because of already established community commitment to a new federal building and the belief that new construction would afford greater socio-economic benefits to the city.

New Bedford officials opposed the reuse scheme because a new building acquired under the "purchase-contract" arrangement, would remain on local tax rolls for a period of 30 years. A Congressional grant of "purchase-contract" authority to GSA through June 1975 permits the agency to make regular payments to the developer of the Federally-occupied structure over a specified time period, at the end of which title transfers to GSA. If purchase-contract authority were expanded by Congress to allow the acquisition of older buildings for rehabilitation under the same procedure, reuse projects would offer tax advantages to localities similar to those provided by new construction.

The New Bedford experience illustrates the need for early consideration of adaptive use as one alternative for meeting Federal space needs. This point was addressed in 1972 in a recommendation of the GSA-sponsored International Environmental Conference on Building Construction and Use: "Critical analysis should be made of the need for new federal buildings with respect to the existence of other buildings that may meet the requirement for additional space."

Since that time, the consideration of reuse alternatives has begun to be incorporated into Federal space planning and site selection procedures. A Life-Cycle Planning and Budgeting Model being developed at GSA, upon completion, could help to determine the long-term consequences of a range of construction, renovation, acquisition, and leasing alternatives when the need for additional space is first identified.

Adequate consideration of adaptive use options could also be assured through revision of OMB's A-104 Circular, which sets forth cost-benefit accounting procedures. Revisions could require a thorough consideration of reuse alternatives through acquisition, renovation, or leasing arrangements. In addition, revised A-104 procedures should incorporate more fully the consideration of less-quantifiable benefits and opportunity costs relating to community impact.

An agreement reached in 1973 provides for notification by GSA to the Council on Environmental Quality and the Advisory Council on Historic Preservation of an intent to prepare a Project Development Report in a given community. This notification seeks to ensure adequate consideration of reuse of historicallly or architecturally significant structures in the community.

Seattle's Office of Urban Conservation will soon formalize an Intergovernmental Facilities Planning mechanism. It will provide an excellent model for the inclusion of reuse alternatives in public agency space planning. Under this mechanism, a log will be compiled of space in valuable older buildings owned or leased by Federal, State, County, and City agencies. When space is vacated by one tenant, space planners at all other levels of government are notified of its availability, thereby encouraging the continued occupancy of the city's worthwhile structures.

Federal policies regarding leased space constitute another possible means of encouraging the rehabilitation of valuable structures, and thereby contributing to the economic vitality of the surrounding community. In Seattle, public agency leases of space in older buildings have helped owners obtain loans for upgrading their properties. A guarantee of Federal tenancy in 1973 enabled the owner of Washington's Warner Building to undertake major renovation of the 52-year old structure. In New York, Postal Service plans to lease the landmark-designated Great Hall of the Cunard Buildings will prevent the breaking up of the impressive interior into offices. This approach merits expansion and increased use.

Use of Federal leasing to encourage recycling is currently restricted by statutory provisions that limit the amount of Federal rent payments as well as the value of improvements in rented facilities. GAO policies discourage the use of Federal funds for purposes other than improvements to functional efficiency. These restrictions should be re-examined to determine their influence on the adaptive use approach to the provision of Federal space.

Further encouragement for adaptive use would be provided through de-emphasizing Federal policies promoting consolidation of agencies and their constituent parts in common or adjacent space. These policies, set forth in E.O. 11512, work against the reuse of clusters of smaller buildings which often can provide the same convenience as larger structures while offering more in the way of accessibility and visual appeal. Large-scale intra- and inter-agency consolidations should be undertaken only when necessary to achieve the over-arching objective of E.O. 11512: insuring the efficient performance of Federal responsibilities.

As federal adaptive use projects are undertaken, considerable care must be taken to avoid insensitive design that can destroy the very vitality that recycled old buildings lend to a community. Multiple-use schemes deserve particular attention as a means of ensuring this vitality. Moreover, enthusiasm for adaptive use should not blind planners to the possibility of using a building for its originally designed purposes. It may be economical or historically important to restore an interior to its original appearance. In those cases where interior alterations are necessary, however, the new interiors should be compatible with the old structures. A current Postal Service program to insert standardized interiors in old post offices around the country raises serious questions in this regard.

Finally, in undertaking new construction, Federal officials should act to ensure the compatibility of the new buildings with nearby historic buildings and districts.

Adaptive use provides a unique opportunity for the federal government to contribute to the economic vitality and architectural diversity of communities that host its buildings. As an integral part of the public buildings program, it would signify a national government of human dimensions, sensitive to the past and concerned for the future.

RECOMMENDATIONS

1. Federal agencies with construction responsibilities should be required, either through legislation or regulation, to give priority consideration to the use of existing buildings to meet current or projected space needs at the earliest possible stage of the planning process. Commonplace as well as historically and architecturally significant structures should be considered for reuse.
2. The GSA Life-Cycle Planning and Budgeting Model now in preparation and Office of Management and Budget Circular A-104 should provide for clearcut consideration of the adaptive use alternative. At the present time, A-104 does not mandate consideration of adaptive use.
3. A study of the comparative resource costs of adaptive use and new construction should be undertaken, possibly through the combined efforts of GSA, the Federal Energy Administration, the Energy Research and Development Administration, the Center for Building Technology of the National Bureau of Standards, and the National Endowment for the Arts. Although the comparative costs vary with each decision, it should be possible to develop a uniform methodology applicable to particular situations.

The study should focus on such things as energy used in demolition and site clearance, fuel consumption, and natural resource expenditure.

4. A study of the comparative costs of adaptive use and new construction should be conducted by Federal agencies, including GSA, the Center for Building Technology, OMB, and perhaps HUD and CEQ. The study should develop, among other things, methods for estimating comparative employment opportunities, borrowing costs, costs to the community of the building site remaining idle, commercial and tax impact on the surrounding area, and dollar costs of resource expenditure.
5. Federal leasing authority should be exercised, where possible, to encourage rehabilitation of valuable structures. Advance commitment of a Federal lease can help a building owner obtain rehabilitation financing from private lenders.
6. If purchase contract authority is extended by Congress beyond its June 30, 1975 expiration date, it should be amended to permit acquisition and renovation of existing buildings.
7. GSA should revise its surplus property transfer procedures to require closer scrutiny of

possible Federal uses before a property is declared surplus. Those properties awaiting transfer should be well maintained pending actual takeover by state or local recipients.

8. Legislation should be enacted to make U.S. Postal Service surplus property transfer procedures consistent with those currently administered by GSA so that postal properties can be transferred to state and local entities at nominal cost. The Postal Service should also review its surplus property policy with an eye toward making greater use of its existing holdings, particularly center city post offices.
9. In historic preservation projects, emphasis should be placed on reusing space for its originally intended purpose where possible. While museum-type restorations and uses are appropriate in some cases, old buildings should be used for contemporary purposes and outfitted with compatible interiors where suitable.
10. In order to assure their vitality and enhance their economic feasibility, adaptive use projects should include multiple uses wherever practicable. Space in old buildings is often uniquely suited for lease to commercial, cultural, educational, and recreational activities.

11. Statutory historic preservation and environmental review procedures should be construed, or amended, to require attention to the compatibility of new Federal construction with adjacent historic structures and districts. At present, these reviews often focus only on prevention of actual physical harm to such historic resources.
12. The Executive Branch and the Congress should reconsider space planning policies and procedures which encourage consolidation of all Federal office activities in a metropolitan area into one building or complex. Mass consolidations are seldom justified by criteria of administrative efficiency or public convenience and they prohibit serious consideration of adapting small-scale older buildings to serve Federal needs.

A SAMPLING OF STATE & LOCAL PUBLIC SECTOR ADAPTIVE USE PROJECTS

STATE	STRUCTURE	BUILDING DESCRIPTION	NEW USE	STATUS
Illinois Capital Development Board	Old Colony Building (Chicago)	Built 1893-94, 17 floors, 134,000 new usable square feet, Chicago Commercial style, world's first building with first nearly rigid metal frame	Conversion from low-occupancy office space to classrooms for the proposed Loop College and to central administrative facilities for the City College of Chicago	Under Consideration
Massachusetts Housing Finance Agency	Chickering Piano Factory (Boston)	Block long factory building built 1853; when built was second only to the U.S. Capitol in size	Adaptation as 174 units of mixed income housing for artists and crafts-people with studio, gallery, and rehearsal space.	Completed February '74
Missouri Board of Public Buildings	Wainwright Building (St. Louis)	Built 1890-91, 9 stories, first Adler & Sullivan building of skyscraper construction	Part of State office complex	Projected Completion in 1976
New Hampshire Legislative Facilities Committee	Old Post Office and Court House (Concord)	Built 1884, 4 stories	Legislative office space and hearing rooms	Under construction
New York State University of New York	Delaware & Hudson Building & Federal Building/Post Office (Albany)	D&H Building - 1912 Flemish Gothic Post Office - 1876 Italianate	Office space housing administrative headquarters for state university system computer operations; galleries and assembly hall	Under Construction
Vermont	Vermont Mutual Life Insurance Company (Montpelier)	Built 1891, Dutch renaissance brownstone, 4½ stories	Offices of Vermont Dept. of Agriculture	Completed 1920's
Vermont	Vermont Mutual Life Insurance Company (Montpelier)	Built 1870, Mid-Victorian 3 stories	Offices of Vermont Tax Dept. and subsequently Dept. of Personnel	Completed in 1950's
Virginia Legislative Services Division	Life of Virginia Building (Richmond)		Re-use as offices and committee hearing rooms for Virginia legislators	Architect selection in progress

CITY	STRUCTURE	BUILDING DESCRIPTION	NEW USE	STATUS
Baltimore, Maryland	City Hall	Beaux Arts Neoclassic (1875)	Upgraded, expanded city offices	Completion scheduled for 1976
Boston, Massachusetts	Massachusetts Bay Transit Authority Coal Bunkers	Late 19th century coal storage facility	Moorings for fireboats, land-based fire station and offices	Completion scheduled for 1976
Ithaca, New York	Tompkins County Courthouse	1856-Gothic Revival	Courtrooms and offices related to law enforcement	Completion scheduled for 1976
Louisville, Kentucky	Brown Hotel and Office Building	14 stories (1923) handsome interiors	Board of Education and other offices, hotel space, classrooms	Completed early 1970's
New York, New York	Jefferson Market Courthouse	Neo-gothic Victorian (1875)	Branch of Public Library	Completed 1967
Ventura, California	Ventura County Courthouse	Roman Doric (1912)	City Hall	Completed late 1973

ANTIQUITIES ACT (1906)

CHAP. 3060.—An Act For the preservation of American antiquities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

Sec. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected: *Provided*, That when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

Sec. 3. That permits for the examination of ruins, the excavation of archæological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.

Sec. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act.

Approved, June 8, 1906.

HISTORIC SITES ACT (1935)

AN ACT

To provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States.

Sec. 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in section 1 hereof, shall have the following powers and perform the following duties and functions:

(a) Secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects.

(b) Make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

(c) Make necessary investigations and researches in the United States relating to particular sites, buildings, or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

(d) For the purpose of this Act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided*, That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further*, That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, maintain, or operate any historic or archaeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(f) Restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and properties of national historical or archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

(g) Erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archaeological significance.

(h) Operate and manage historic and archaeologic sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration: *Provided*, That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archaeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

(j) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

(k) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any person violating any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 and be adjudged to pay all cost of the proceedings.

Sec. 3. A general advisory board to be known as the "Advisory Board on National Parks, Historic Sites, Buildings, and Monuments" is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture, and human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members.

It shall be the duty of such board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation, and general administration of historic and archaeologic sites, buildings, and properties.

Sec. 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

(b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

(c) Such professional and technical assistance may be employed without regard to the civil-service laws, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purpose.

Sec. 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act.

Sec. 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine.

Sec. 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter.

Approved, August 21, 1935.

NATIONAL HISTORIC PRESERVATION ACT
(1966)

Public Law 89-665

AN ACT

To establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

Sec. 101. (a) The Secretary of the Interior is authorized—

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture; and

(3) to establish a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

(4) The term "Secretary" means the Secretary of the Interior.

Sec. 102. (a) No grant may be made under this Act—

(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

Sec. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however*, That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

Sec. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

Sec. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Sec. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

Sec. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

Sec. 108. There are authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than $10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

Sec. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

(1) The Secretary of the Interior.
(2) The Secretary of Housing and Urban Development.
(3) The Secretary of Commerce.
(4) The Administrator of the General Services Administration.
(5) The Secretary of the Treasury.
(6) The Attorney General.
(7) The Chairman of the National Trust for Historic Preservation.

(8) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph (8) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

Sec. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

Sec. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

Sec. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraph (8) of section 201(a) shall receive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

Sec. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665 (g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

Approved October 15, 1966.

SURPLUS PROPERTY TRANSFER AMENDMENT
(1972)

Public Law 92-362

AN ACT

To facilitate the preservation of historic monuments, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(3) as section 203(k)(4) and by adding a new section 203(k)(3) as follows:

"(k)(3) Without monetary consideration to the United States, the Administrator may convey to any State, political subdivision, instrumentalities thereof, or municipality, all of the right, title, and interest of the United States in and to any surplus real and related personal property which the Secretary of the Interior has determined is suitable and desirable for use as a historic monument, for the benefit of the public. No property shall be determined to be suitable or desirable for use as a historic monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled 'An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (49 Stat. 666), and only so much of any such property shall be so determined to be suitable or desirable for such use as is necessary for the preservation and proper observation of its historic features.

"(A) The Administrator may authorize use of any property conveyed under this subsection or the Surplus Property Act of 1944, as amended, for revenue-producing activities if the Secretary of the Interior (i) determines that such activities are compatible with use of the property for historic monument purposes, (ii) approves the grantee's plan for repair, rehabilitation, restoration, and maintenance of the property, and (iii) approves the grantee's plan for financing repair, rehabilitation, restoration, and maintenance of the property. The Secretary shall not approve a financial plan unless it provides that incomes in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the grantee only for public historic preservation, park, or recreational purposes. The Administrator may not authorize any uses under this subsection until the Secretary has examined and approved the accounting and financial procedures used by the grantee. The Secretary may periodically audit the records of the grantee, directly related to the property conveyed.

"(B) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

> "(i) shall provide that all such property shall be used and maintained for historic monument purposes in perpetuity, and that in the event that the property ceases to be used or maintained for that purpose, all or any portion of the property shall, in its then existing condition, at the option of the United States, revert to the United States; and
>
> "(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States.

"(C) 'States' as used in this subsection, includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."

Sec. 2. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is repealed.

Approved August 4, 1972.

PLANNING, ACQUISITION, AND MANAGEMENT OF FEDERAL SPACE

Executive Order No. 11512 (35 F.R. 3979; 3 CFR)

By virtue of the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended [F.C.A. 40 §§ 471 and notes—475, 481, 483, 484, 485–492, 511–514, 521–524, 531 and note—535, 751–759; 41 §§ 5, 251–254, 255, 257–260; 44 § 2901 et seq.], and as President of the United States, it is hereby ordered as follows:

Section 1. The Administrator of General Services (hereinafter termed "the Administrator") shall initiate and maintain plans and programs for the effective and efficient acquisition and utilization of federally owned and leased space located in the States of the United States or in the District of Columbia or in Puerto Rico (hereinafter termed "in the United States"), and for which the Administrator is responsible. The Administrator shall prepare and issue standards and criteria for the use of such space and shall periodically undertake surveys of space requirements and space utilization in the executive agencies and initiate actions and formulate programs to meet the essential space requirements of executive agencies. In carrying out these functions, the Administrator shall (a) coordinate proposed programs and plans for buildings and space with the Bureau of the Budget, (b) obtain from the Civil Service Commission, the Office of Emergency Preparedness, and the Department of Defense any information in the possession of those agencies which may bear upon such programs and plans, (c) coordinate proposed programs and plans for buildings and space in a manner designed to exert a positive economic and social influence on the development or redevelopment of the areas in which such facilities will be located, (d) seek the cooperation of the heads of the executive agencies concerned with any of the foregoing, and (e) annually submit long-range plans and programs for the acquisition, modernization, and use of space for approval by the President.

Sec. 2. (a) The Administrator, and the heads of executive agencies, shall be guided by the following policies for the acquisition, assignment, reassignment, and utilization of office buildings and space in the United States:

(1) Material consideration shall be given to the efficient performance of the missions and programs of the executive agencies and the nature and function of the facilities involved, with due regard for the convenience of the public served and the maintenance and improvement of safe and healthful working conditions for employees;

(2) Consideration shall be given in the selection of sites for Federal facilities to the need for development and redevelopment of areas and the development of new communities, and the impact a selection will have on improving social and economic conditions in the area. In determining these conditions the Administrator shall consult with and receive advice from the Secretary of Housing and Urban Development, the Secretary of Health, Education, and Welfare, the Secretary of Commerce, and others, as appropriate;

(3) Maximum use shall be made of existing Government-owned permanent buildings which are adequate or economically adaptable to the space needs of executive agencies;

(4) Suitable privately owned space shall be acquired only when satisfactory Government-owned space is not available, and only at rental charges which are consistent with prevailing rates in the community for comparable facilities;

(5) Space planning and assignments shall take into account the objective of consolidating agencies and constituent parts thereof in common or adjacent space for the purpose of improving management and administration;

(6) The availability of adequate low and moderate income housing, adequate access from other areas of the urban center, and adequacy of parking will be considered; and

(7) Proposed developments shall be, to the greatest extent practicable, consistent with State, regional, and local plans and programs; and Governors, local elected officials, and regional comprehensive planning agencies shall be consulted in the planning of such developments.

(b) The Administrator shall plan, acquire, and manage space in the United States upon his determination that such actions will serve to improve the management and administration of governmental activities and services, and will foster the programs and policies of the Federal Government. Prior to making such determinations, the Administrator shall consult with the heads of the executive agencies concerned and take into account their requirements, consistent with the criteria stated here and his other responsibilities. The Administrator shall advise the agency head in writing of his intended course of action and notify him that in the event of disagreement the affected agency head may within thirty days make a written request for review of the matter, through the Director of the Bureau of the Budget, to the President.

Sec. 3. The heads of executive agencies shall (a) cooperate with and assist the Administrator in carrying out his responsibilities respecting buildings and space, (b) take measures to give the Administrator early notice of new or changing space requirements, (c) seek to economize in their requirement for space, and (d) review continuously their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency.

SEC. 4. The provisions of this order shall be subject to applicable provisions of law (including applicable provisions of any reorganization plan).

SEC. 5. Executive Order No. 11035 of July 9, 1962 [1962 Public Laws and Administrative Material, p. B116], is hereby superseded.

RICHARD NIXON.

FEBRUARY 27, 1970.

PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

Executive Order No. 11514 (35 F.R. 4247; 3 CFR)

By virtue of the authority vested in me as President of the United States and in furtherance of the purpose and policy of the National Environmental Policy Act of 1969 (Public Law No. 91–190, approved January 1, 1970) [1969 F.C.A. Public Laws and Administrative Material, p. 866], it is ordered as follows:

SECTION 1. *Policy.* The Federal Government shall provide leadership in protecting and enhancing the quality of the Nation's environment to sustain and enrich human life. Federal agencies shall initiate measures needed to direct their policies, plans and programs so as to meet national environmental goals. The Council on Environmetal Quality, through the Chairman, shall advise and assist the President in leading this natioal effort.

SEC. 2. *Responsibilities of Federal agencies.* Consonant with Title I of the National Environmental Policy Act of 1969, hereafter referred to as the "Act," the heads of Federal agencies shall:

(a) Monitor, evaluate, and control on a continuing basis their agencies' activities so as to protect and enhance the quality of the environment. Such activities shall include those directed to controlling pollution and enhancing the environment and those designed to accomplish other program objectives which may affect the quality of the environment. Agencies shall develop programs and measures to protect and enhance environmental quality and shall assess progress in meeting the specific objectives of such activities. Heads of agencies shall consult with appropriate Federal State and local agencies in carrying out their activities as they affect the quality of the environment.

(b) Develop procedures to ensure the fullest practicable provision of timely public information and understanding of Federal plans and programs with environmental impact in order to obtain the views of interested parties. These procedures shall include, whenever appropriate, provision for public hearings, and shall provide the public with relevant information, including information on alternative courses of action. Federal agencies shall also encourage State and local agencies to adopt similar procedures for informing the public concerning their activities affecting the quality of the environment.

(c) Insure that information regarding existing or potential environmental problems and control methods developed as part of research, development, demonstration, test, or evaluation activities is made available to Federal agencies, States, counties, municipalities, institutions, and other entities, as appropriate.

(d) Review their agencies' statutory authority, administrative regulations, policies, and procedures, including those relating to loans, grants, contracts, leases, licenses, or permits, in order to identify any deficiencies or inconsistencies therein which prohibit or limit full compliance with the purposes and provisions of the Act. A report on this review and the corrective actions taken or planned, including such measures to be proposed to the President as may be necessary to bring their authority and policies into conformance with the intent, purposes, and procedures of the Act, shall be provided to the Council on Environmental Quality not later than September 1, 1970.

(e) Engage in exchange of data and research results, and cooperate with agencies of other governments to foster the purposes of the Act.

(f) Proceed, in coordination with other agencies, with actions required by section 102 of the Act.

Sec. 3. *Responsibilities of Council on Environmental Quality.* The Council on Environmental Quality shall:

(a) Evaluate existing and proposed policies and activities of the Federal Government directed to the control of pollution and the enhancement of the environment and to the accomplishment of other objectives which affect the quality of the environment. This shall include continuing review of procedures employed in the development and enforcement of Federal standards affecting environmental quality. Based upon such evaluations the Council shall, where appropriate, recommend to the President policies and programs to achieve more effective protection and enhancement of environmental quality and shall, where appropriate, seek resolution of significant environmental issues.

(b) Recommend to the President and to the agencies priorities among programs designed for the control of pollution and for enhancement of the environment.

(c) Determine the need for new policies and programs for dealing with environmental problems not being adequately addressed.

(d) Conduct, as it determines to be appropriate, public hearings or conferences on issues of environmental significance.

(e) Promote the development and use of indices and monitoring systems (1) to assess environmental conditions and trends, (2) to predict the environmental impact of proposed public and private actions, and (3) to determine the effectiveness of programs for protecting and enhancing environmental quality.

(f) Coordinate Federal programs related to environmental quality.

(g) Advise and assist the President and the agencies in achieving international cooperation for dealing with environmental problems, under the foreign policy guidance of the Secretary of State.

(h) Issue guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2)(C) of the Act.

(i) Issue such other instructions to agencies, and request such reports and other information from them, as may be required to carry out the Council's responsibilities under the Act.

(j) Assist the President in preparing the annual Environmental Quality Report provided for in section 201 of the Act.

(k) Foster investigations, studies, surveys, research, and analyses relating to (i) ecological systems and environmental quality, (ii) the impact of new and changing technologies thereon, and (iii) means of preventing or reducing adverse effects from such technologies.

Sec. 4. *Amendments of E.O. 11472.* Executive Order No. 11472 of May 29, 1969 [1969 F.C.A. Public Laws and Administrative Material, p. B39], including the heading thereof, is hereby amended:

(1) By substituting for the term "the Environmental Quality Council", wherever it occurs, the following: "the Cabinet Committee on the Environment".

(2) By substituting for the term "the Council", wherever it occurs, the following: "the Cabinet Committee".

(3) By inserting in subsection (f) of section 101, after "Budget,", the following: "the Director of the Office of Science and Technology,".

(4) By substituting for subsection (g) of section 101 the following:

"(g) The Chairman of the Council on Environmental Quality (established by Public Law 91–190) shall assist the President in directing the affairs of the Cabinet Committee."

(5) By deleting subsection (c) of section 102.

(6) By substituting for "the Office of Science and Technology", in section 104, the following: "the Council on Environmental Quality (established by Public Law 91–190)".

(7) By substituting for "(hereinafter referred to as the 'Committee')", in section 201, the following: "(hereinafter referred to as the 'Citizens' Committee')".

(8) By substituting for the term "the Committee", wherever it occurs, the following: "the Citizens' Committee".

Richard Nixon

March 5, 1970.

PROTECTION AND ENHANCEMENT OF THE CULTURAL ENVIRONMENT

Executive Order No. 11593

By virtue of the authority vested in me as President of the United States and in furtherance of the purposes and policies of the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4321 et seq.), the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470 et seq.), the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461 et seq.), and the Antiquities Act of 1906 (34 Stat. 225, 16 U.S.C. 431 et seq.), it is ordered as follows:

SECTION 1. *Policy*. The Federal Government shall provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation. Agencies of the executive branch of the Government (hereinafter referred to as "Federal agencies") shall (1) administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations, (2) initiate measures necessary to direct their policies, plans and programs in such a way that federally owned sites, structures, and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspiration and benefit of the people, and (3), in consultation with the Advisory Council on Historic Preservation (16 U.S.C. 470i), institute procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archaeological significance.

SEC. 2. *Responsibilities of Federal agencies*. Consonant with the provisions of the acts cited in the first paragraph of this order, the heads of Federal agencies shall:

(a) no later than July 1, 1973, with the advice of the Secretary of the Interior, and in cooperation with the liaison officer for historic preservation for the State or territory involved, locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places.

(b) exercise caution during the interim period until inventories and evaluations required by subsection (a) are completed to assure that any federally owned property that might qualify for nomination is not inadvertently transferred, sold, demolished or substantially altered. The agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property's eligibility for inclusion on the National Register of Historic Places. The Secretary shall consult with the liaison officer for historic preservation for the State or territory involved in arriving at his opinion. Where, after a reasonable period in which to review and evaluate the property, the Secretary determines that the property is likely to meet the criteria prescribed for listing on the National Register of Historic Places, the Federal agency head shall reconsider the proposal in light of national environmental and preservation policy. Where, after such reconsideration, the Federal agency head proposes to transfer, sell, demolish or substantially alter the property he shall not act with respect to the property until the Advisory Council on Historic Preservation shall have been provided an opportunity to comment on the proposal.

(c) initiate measures to assure that where as a result of Federal action or assistance a property listed on the National Register of Historic Places is to be substantially altered or demolished, timely steps be taken to make or have made records, including measured drawings, photographs and maps, of the property, and that copy of such records then be deposited in the Library of Congress as part of the Historic American Buildings Survey or Historic American Engineering Record for future use and reference. Agencies may call on the Department of the Interior for advice and technical assistance in the completion of the above records.

(d) initiate measures and procedures to provide for the maintenance, through preservation, rehabilitation, or restoration, of federally owned and registered sites at professional standards prescribed by the Secretary of the Interior.

(e) submit procedures required pursuant to subsection (d), to the Secretary of the Interior and to the Advisory Council on Historic Preservation no later than January 1, 1972, and annually thereafter, for review and comment.

(f) cooperate with purchasers and transferees of a property listed on the National Register of Historic Places in the development of viable plans to use such property in a manner compatible with preservation objectives and which does not result in an unreasonable economic burden to public or private interests.

Sec. 3. *Responsibilities of the Secretary of the Interior.*

The Secretary of the Interior shall:

(a) encourage State and local historic preservation officials to evaluate and survey federally owned historic properties and, where appropriate, to nominate such properties for listing on the National Register of Historic Places.

(b) develop criteria and procedures to be applied by Federal agencies in the reviews and nominations required by section 2(a). Such criteria and procedures shall be developed in consultation with the affected agencies.

(c) expedite action upon nominations to the National Register of Historic Places concerning federally owned properties proposed for sale, transfer, demolition or substantial alteration.

(d) encourage State and Territorial liaison officers for historic preservation to furnish information upon request to Federal agencies regarding their properties which have been evaluated with respect to historic, architectural or archaeological significance and which as a result of such evaluations have not been found suitable for listing on the National Register of Historic Places.

(e) develop and make available to Federal agencies and State and local governments information concerning professional methods and techniques for preserving, improving, restoring and maintaining historic properties.

(f) advise Federal agencies in the evaluation, identification, preservation, improvement, restoration and maintenance of historic properties.

(g) review and evaluate the plans of transferees of surplus Federal properties transferred for historic monument purposes to assure that the historic character of such properties is preserved in rehabilitation, restoration, improvement, maintenance and repair of such properties.

(h) review and comment upon Federal agency procedures submitted pursuant to section 2(e) of this order.

Richard Nixon.

May 13, 1971

BIBLIOGRAPHY

Architectural Record. December 1974.

Arts and the National Government, The Report to the President.
Subcommittees by August Heckscher, Special Consultant on the Arts, May 28, 1963. Senate Document #28, 88th Congress, First Session, U.S. Government Printing Office.

Cavaglieri, Giorgio. "Design in Adaptive Use." Historic Preservation, January-March, 1974.

Economic Evaluation of the City's Commitment to Pioneer Square, An.
Seattle Office of Economic Development, July 1974.

Educational Facilities Laboratories. Reusing Railroad Stations. May 1974.

Frampton, Kenneth. "The Aura of the Past." Progressive Architecture, July 1974.

Guidelines for Energy Conservation in Existing Buildings.
General Services Administration and American Institute of Architects Research Corporation. (Pre-publication copy.)

Hardy, Hugh. "The Energy of Reuse." On Site: On Energy.

Harney, Andy Leon. Adaptive Use: Saving Energy (and Money) As Well As Historic Buildings. AIA Journal, August 1974.

"Historic Ithaca." Cornell Alumni News, May 1974.

Jacobs, Jane. The Death and Life of Great American Cities. New York: Vintage Books, 1961.

Knight, Carleton III. Adaptive Use, Cont., Apartments from a Factory and a Store. AIA Journal, November 1974.

Langenbach, Randolph. "Old Buildings as a Resource for Growth in Cities: A Handbook for Preservation in New England Industrial Cities." Massachusetts Department of Community Affairs, May 1974.

Latus, Mark. *Preservation and the Energy Crisis*. *Historic Preservation*, April-June, 1973.

Lynch, Kevin. *What Time Is This Place?* Cambridge, Massachusetts: M.I.T. Press, 1972.

McQuade, Walter. "Buildings Can Be Recycled Too." *Fortune*, May 1975.

Osman, Mary E. "A St. Paul Landmark Saved by a Bill." *AIA Journal*, March 1974.

Rothenberg, Alan. "It Pays to Preserve." *Cry California*, 1974.

Schneider, Pierre. "Converting the Past." *Architecture Plus*, March/April, 1974.

Site Analysis for Federal Offices in New Bedford, Massachusetts. Architectural Heritage Inc., June 1973.

Technical Options for Energy Conservation in Buildings. NBS Technical Note 789, July 1973, Building Environment Division, Center for Building Technology, NBS, Department of Commerce.

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